



राजपत्र, हिमाचल प्रदेश (व्यसाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 18 फरवरी, 2005/29 मार्च, 1926

हिमाचल प्रदेश सरकार

THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION
SHIMLA

ORDER

Shimla, the 9th February, 2005

No. HPERC/609 (B).—Whereas in exercise of the powers conferred under sub-section (6) of section 42 of the Electricity Act, 2003 (36 of 2003) the office of the Electricity Ombudsman has been set up for redressal of grievances of the consumers under the said Act;

AND WHEREAS the expenditure in relation to the said institution of the Electricity Ombudsman is to be borne by the Distribution Licensees as approved as pass through expenditure in the Annual Revenue Requirements of the Distribution Licensee.

AND WHEREAS no fund has been constituted out of which the salary and allowances payable to the Electricity Ombudsman and its staff and other secretarial expenses could be paid; and in the absence of the said fund a great difficulty is being experienced in making the said payments by the Distribution Licensee and it has become necessary to remove the said difficulty.

NOW, THEREFORE, the Himachal Pradesh Electricity Regulatory Commission in exercise of the powers vested in it under Regulation 16 of the Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) Regulations, 2004 is pleased to issue the following directions to the Electricity Ombudsman to constitute the Himachal Pradesh Electricity Ombudsman Fund and to maintain and get its accounts audited and also to operate bank accounts in accordance with the following Order :—

1. *Short title.*—This Order shall be called the Himachal Pradesh Electricity Regulatory Commission (Removal of Difficulties) (Constitution of Himachal Pradesh Ombudsman Fund) Order, 2005.

2. *Constitution of the Fund.*—(1) The Electricity Ombudsman hereby constitutes a Fund to be called the 'Himachal Pradesh Electricity Ombudsman Fund'.

(2) The Fund shall comprise of —

(i) all fees/charges received by the Electricity Ombudsman under the Electricity Act, 2003;

(ii) all sums received by the Electricity Ombudsman from other sources.

3. *Application of the Fund.*—The fund shall be applied for meeting :—

(a) the salary, allowances and other remuneration of Electricity Ombudsman and his staff;

(b) the expenses of the Electricity Ombudsman in discharge of its functions under the regulations;

(c) the costs associated with the operation and transaction of the business of the Electricity Ombudsman;

(d) the expenses on objects and for purposes authorised by these regulations.

4. *Maintenance of accounts.*—(1) the Electricity Ombudsman shall maintain proper accounts and other records as may be specified by the Commission.

(2) At the close of financial year the Electricity Ombudsman shall furnish a statement depicting therein the opening balance, amount utilised and the balance remaining unutilised.

5. *Opening of Bank Account and drawl of funds.*—

(1) (a) The Electricity Ombudsman shall open account in one or more nationalised banks.

(b) The Electricity Ombudsman shall make available his specimen signature to the nominated bank for its information and records.

(c) The link branch of the nominated bank shall furnish daily payments and receipts scrolls to the Electricity Ombudsman, which will ensure that the cheques appearing in the payment scrolls are those, issued by the Electricity Ombudsman and reconcile each transaction with the bank.

- (2) (a) All funds received shall be paid into the Electricity Ombudsman's account in the bank and shall not be withdrawn except on presentation of a cheque signed by the Electricity Ombudsman or such other officer as authorised by the Electricity Ombudsman.
- (b) The Electricity Ombudsman shall also be responsible to ensure that the amount of the cheque /demand drafts deposited in the accredited banks have been timely credited in the account of the Electricity Ombudsman and also reconcile the receipt and payment accounts with them.

6. *Audit of the accounts.*—(1) The accounts of the Electricity Ombudsman shall be audited at such intervals as may be specified by the Commission.

(2) The accounts of the Electricity Ombudsman as certified by the auditor together with audit report thereon shall be forwarded annually to the Commission.

Shimla-1, the 9th February, 2005

No. HPERC/609 (B).—Whereas in exercise of the powers conferred under sub-section(6) of section 42 of the Electricity Act, 2003 (36 of 2003) the office of the Electricity Ombudsman has been set up for redressal of grievances of the consumers under the said Act;

AND WHEREAS the expenditure in relation to the said institution of the Electricity Ombudsman is to be borne by the Distribution Licensees as approved as pass through expenditure in the Annual Revenue Requirements of the Distribution Licensee and the Commission has allowed provision of Rs. 32,82,459/- on *pro rata* basis for seven months of the current financial year, for meeting the expenditure on account of setting up the Secretariat of the Electricity Ombudsman.

AND WHEREAS no fund has been constituted out of which the salary and allowances payable to the Electricity Ombudsman and its staff and other secretarial expenses could be paid and in the absence of the said fund a great difficulty is being experienced in making the said payments by the Distribution Licensee and it has become necessary to remove the said difficulty.

NOW, THEREFORE, the Himachal Pradesh Electricity Regulatory Commission in exercise of the powers vested in it under Regulation 16 of the Himachal Pradesh Electricity Regulatory Commission (Electricity Ombudsman) Regulations, 2004 is pleased to direct the Himachal Pradesh Electricity Board, *i.e.* the Distribution Licensee to place the unspent amount out of the aforesaid amount at the disposal of the Electricity Ombudsman thro' DD/- Pay Order drawn in the name of Electricity Ombudsman within one week of the issue of this order. This amount shall be deposited by him in his account to be opened and maintained by him in accordance with the Himachal Pradesh Electricity Regulatory Commission (Removal of Difficulties) (Constitution of Himachal Pradesh Ombudsman Fund) Order, 2005.

BY ORDER OF THE COMMISSION,

Sd/-
Secretary.

नियन्त्रक, मुद्रण एवं लेखन सामग्री, हिमाचल प्रदेश, शिमला-5 द्वारा मुद्रित तथा प्रकाशित